



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

4350-150th Ave. N.E. • Redmond, Washington 98052-5301 • (206) 867-7000

APR 15 1988

CERTIFIED MAIL

Duwamish Shipyard, Inc.
5658 W. Marginal Way
Seattle, Washington 98106

Attention: Mr. David W. Larsen, President

Re: Penalty - No. DE 87-N311

Dear Mr. Larson:

Enclosed is a "Notice of Disposition Upon Application for Relief from Penalty," No. DE 87-N311, affirming the penalty assessed. This Department has carefully considered the matters you have submitted in your "Application for Relief from Penalty" and finds no basis for mitigating or remission of the penalty assessed. The penalty is due and payable by you within thirty (30) days of your receipt of this notice.

The determination of this agency is an administrative action based upon our evaluation of facts and circumstances surrounding the cited pollution incident. Any person feeling aggrieved by this Notice of Disposition Upon Application For Relief From Penalty may obtain review thereof by application, within thirty (30) days of receipt of this order, to the Washington Pollution Control Hearings Board, Mail Stop PY-21, Olympia, Washington 98504-8921. Concurrently, a copy of the application must be sent to the Department of Ecology, Attention: Assistant Attorney General, Mail Stop PV-11, Olympia, Washington 98504-8711. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

Sincerely,

Mary A. Kautz

Mary A. Kautz
Enforcement Coordinator

MAK:dw
Enclosures

DEPARTMENT OF ECOLOGY

IN THE MATTER OF ASSESSMENT)
OF PENALTY AGAINST)
DUWAMISH SHIPYARD, INC.)
)

Notice of Disposition Upon
Application For Relief
From Penalty
No. DE 87-N311

To: Duwamish Shipyard, Inc.
5658 W. Marginal Way
Seattle, Washington 98106

Attention: Mr. David W. Larsen, President

By "NOTICE OF PENALTY INCURRED AND DUE," dated the 19th day of January, 1988, and duly served, Duwamish Shipyard, Inc., hereinafter referred to as Petitioner, was notified of a penalty incurred. This penalty assessment was based upon the following violation:

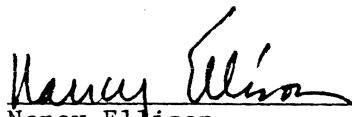
On October 21, 1987, a site visit by the Department of Ecology found that Duwamish Shipyard, Inc., in Seattle, failed to contain spent grit and paint debris from entering the Duwamish River during sandblasting activities on the marineway. The discharge of pollutants to waters of the state is a violation of RCW 90.48.080.

Petitioner was thereupon assessed the sum of \$800.00 pursuant to RCW 90.48.144. The application for relief from such penalty was filed with the Department on the 11th day of February, 1988.

The Department, having duly considered said application for relief, is of the opinion that penalty assessment No. DE 87-N311 should be Affirmed.

Any person feeling aggrieved by this Notice of Disposition Upon Application For Relief From Penalty may obtain review thereof by application, within thirty (30) days of receipt of this Notice of Disposition Upon Application For Relief From Penalty, to the Washington Pollution Control Hearings Board, Mail Stop PY-21, Olympia, Washington 98504-8921. Concurrently, a copy of the application must be sent to the Department of Ecology, Attention: Assistant Attorney General, Mail Stop PV-11, Olympia, Washington 98504-8711. These procedures are consistent with the provisions of Chapter 43.21B RCW and the rules and regulations adopted thereunder.

DATED at Redmond, Washington April 15, 1988.


Nancy Ellison
Regional Manager
Northwest Regional Office
Department of Ecology
State of Washington